

EXHIBIT A

In Re: Dicamba Herbicides Litigation
Confidential Crop Damage Plaintiff Fact Sheet (Long-Form) – Subject to Protective Order

THIS DOCUMENT RELATES TO

Individual Civil Case No. (Not MDL No.): _____

CONFIDENTIAL PLAINTIFF FACT SHEET

Each Plaintiff must complete a separate fact sheet for each farming entity for which he or she alleges sustained damage. In completing this Fact Sheet, you are under oath and must fully answer every question and subpart and provide information that is true and correct. The Fact Sheet shall be completed in accordance with the requirements and guidelines set forth in the applicable Case Management Orders. A completed Fact Sheet shall be considered interrogatory answers pursuant to Rule 33, Fed. R. Civ. P., and document responses pursuant to Rule 34, Fed. R. Civ. P., and will be governed by the standards applicable to written discovery under Rules 26 through 37, Fed. R. Civ. P. You must supplement your responses if you learn that they are incomplete or incorrect in any material respect. Plaintiff should only provide information that Plaintiff knows and in Plaintiff's possession, custody, and control. Plaintiff should not guess or make assumptions.

Plaintiff's Name: _____

(If not an individual, describe the ownership structure of the Plaintiff, including an identification of all shareholders, members, interest holders, or trustees. Note that multiple names may be printed in the "Plaintiff Name" line if claims are being brought by the partners of a partnership. If claims are being asserted by the partners of a partnership, only one form should be completed even if the partnership has several partners.)

Plaintiff's Address: Street: _____ City: _____ State: _____ Zip: _____

Social Security or Tax ID #: _____

Provide Plaintiff's Social Security or tax identification numbers. This number depends on what type of entity is asserting a claim. If you farm in your individual capacity, provide your social security number. If you farm as an entity, provide FSA Form 902. If claims are being asserted by the partners of a partnership, please list the name of the partners and to the extent not provided on a FSA Form 902, provide the last four digits of their Social Security number .

If Plaintiff is a corporation, limited liability company (LLC), limited liability partnership (LLP), limited partnership (LP), or any other legal entity, please name the state under whose laws Plaintiff is organized. Plaintiff would have filed organizational documents with the Secretary of State or Division of Corporations in this state.

****If additional space is needed to supply the requested information, please attach additional pages to this form.*

1. Provide the name of the individual completing this form and relation to Plaintiff.

Name: _____ Relation: _____

2. Does Plaintiff use e-mail to conduct any farming business?

Yes ☐ or No ☐

If yes, please provide the e-mail address(es): _____

3. Does Plaintiff keep electronic records reflecting any of the information described on this form?

Yes ☐ or No ☐

4. Identify all records/management of farm inputs maintained with software used for the Plaintiff's farming operations for the years 2013 through 2017.

5. Has Plaintiff worked directly or indirectly (for example employed by or contracted to do work) for any of the following to sell or distribute any farm-input product (including seeds, fertilizer, pesticides or other crop protection products, or similar product):

☐ Monsanto Company

☐ BASF Corporation (and related entities)

☐ E.I. DuPont De Nemours and Company

☐ Pioneer Hi-Bred International Inc.

6. Has Plaintiff ever been certified as a pesticide applicator (private or commercial)?

Yes ☐ or No ☐ If Yes, dates of certification: _____, _____, _____, _____

7. If Plaintiff has previously been a party (Plaintiff or Defendant) to any lawsuit or claim relating to: the alleged off-target movement of any herbicide; crop seed; or crop chemistry, provide the following information:

Case Caption or Claim	Case No.	Jurisdiction	Act as Class Representative?	Did Plaintiff Receive any Settlement?

8. Did Plaintiff file a lawsuit in either of these litigations?

- ☐ *In Re: Syngenta MIR162 Corn Litigation*
☐ *In re: Genetically Modified Rice Litigation*

9. For each allegedly damaged field, for which Plaintiff is asserting a claim, provide the following information:

***For all following questions, if no FSA identifiers exist for the allegedly damaged fields, identify the location with sufficient detail (e.g., GPS point, road intersection, 911 address, plat section, township section, or range number, etc.).*

Field Name:	FSA Farm#:	Tract#:	Field#:
Crop Allegedly Damaged:		Date Planted:	
Date Alleged Damage Observed:		Person Observing Alleged Damage:	
Description of Alleged Damage Observed			

Total Acres Allegedly Damaged:	Total Field Acreage (or produce documents sufficient to show total field acreage):
Alleged Yield Loss (if any):	

10. If any fields listed in Question 9 above have lease agreements, please list the details of those lease agreements or produce records sufficient to show the lease terms, such as FSA Form 902 or the lease agreements themselves.

Field Name	FSA Farm/ Tract/ Field Nos.			Lessor	Lessee	Lease Term (start/end)	If the Lessor or Lessee is a corporate entity, identify that entity's representative

11. Provide the following information regarding the preparation, cultivation, and harvest methods of each allegedly damaged field. You may produce documents sufficient to show seed brand, seed source, and seed variety:

Field Name:	FSA Farm#:	Tract#:	Field#:
Planting and Cultivation Methods (e.g., conventional tillage, conservation tillage, no-till, use of pre-emergent			

herbicide, pre-treatment for soil fertility, pre-planting insecticidal treatments, use of treated seed, etc.).			
Planting Equipment Used			
Seed Brand		Seed Source:	
Seed Treatment		Seed Variety:	
Irrigation	Irrigation: Yes <input type="checkbox"/> or No <input type="checkbox"/> Irrigation methods used (check all that apply): Center Pivot: <input type="checkbox"/> Drip: <input type="checkbox"/> Surface: <input type="checkbox"/>		
Applications of Fertilizers	Type: _____ Date(s): _____ _____		
Insecticide Treatments			
Fungicide Treatments			

Treatments with herbicides	Active ingredient: _____ Trade name: _____
	Tank mix additives: _____
	Date(s) applied: _____, _____ Rate applied: _____
	GPA of spray solution: _____
Harvest Dates	_____, _____, _____
Harvest Equipment Used	
Location of Planting and Harvest Records	
Name of Person Harvesting	

12. Provide the following information regarding each field Plaintiff alleges was damaged:

Field Name:	FSA Farm#:	Tract#:	Field#:
Location where herbicide was sprayed that harmed this particular field			
Herbicide brand that harmed this particular field		Herbicide Manufacturer:	
Name of person who applied herbicide that harmed this particular field		Crop Herbicide Was Applied To:	

Date(s) that herbicide was applied	_____, _____, _____
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13. For each field allegedly damaged, provide (i) the information below for the year of alleged damage; and (ii) at least three years of information prior to that year for the same crop that was planted on that field. Alternatively, produce documents sufficient to provide this information. Yield loss includes loss from fire, hail, flood, drought, etc. (For example, if Plaintiff alleges damage to a soybean crop in 2017 and rotates crops annually, information should be provided for 2017, 2015, 2013, and 2011).

Field Name:		FSA Farm#:	Tract#:	Field#:
Year	Crop	Per acre yield	Total yield	Yield loss (if any)

14. For each field for which there is no claim of damage, provide at a minimum the most recent three years of data for the crop you alleged was damaged in this litigation, or produce documents sufficient to provide this information:

Year	Field Name	FSA Farm #	FSA Tract #	FSA Field #	Total Acreage	Acres Planted	Acres Harvested	Crops Grown	Per-acre Yield

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15. Did Plaintiff file a complaint with a state Department of Agriculture, or any other state or federal entity, relating to losses alleged in this lawsuit?

Yes ☐ or No ☐

If yes, please provide the information below, or produce documents sufficient to show the information requested:

Entity	When Notified	How Notify Agency	Complaint/Investigation # assigned

16. Has Plaintiff or any third party tested for the presence of dicamba in the allegedly damaged crops?

Yes ☐ or No ☐

If yes, identify the testing entity and test results?

17. Identify all insurance companies with which Plaintiff has had a crop insurance policy since 2011 on any crop allegedly damaged, or produce documents sufficient to provide this information.

18. Did you file an insurance claim concerning any field allegedly damaged by dicamba?

Yes ☐ or No ☐ (If so, produce all records, per Document Request No. 20 below)

If yes, with which insurance company? _____ When: _____

19. Have Plaintiff's fields/crops been inspected by some person or entity other than Plaintiff or someone employed by Plaintiff to identify dicamba-related damage?

Yes ☐ or No ☐

If Yes, who and when? *(list each person/entity individually)*

Entity: _____ When: _____ Entity: _____ /When: _____

Entity: _____ When: _____ Entity: _____ /When: _____

20. Describe any demands/claims/correspondence submitted to third parties for alleged dicamba damage or produce documents sufficient to identify any demands/claims/correspondence. *(This does not include discussions with your attorney.)*

21. If Plaintiff is claiming any damages other than yield loss, please itemize each item of other alleged damage:

22. Has Plaintiff ever purchased Xtend soybeans?

Yes ☐ or No ☐

If yes, identify years of purchase: ☐ 2016 ☐ 2017 ☐ 2018

Provide the following information for each year or produce documents sufficient to provide such information.

Year: _____ From whom purchased: _____

How many units: _____ Acres planted with the seed: _____

Where planted: Field Name: _____ FSA Farm # _____ Tract # _____ Field # _____

If you allege damage to a soybean crop in this lawsuit, answer the following for your Xtend soybeans:

Total Yield: _____ Per Acre Yield for Xtend Acres: _____

23. Has Plaintiff ever purchased Xtend cotton seed?

Yes ☐ or No ☐

If yes, identify years of purchase: ☐ 2015 ☐ 2016 ☐ 2017 ☐ 2018

Provide the following information for each year or produce documents sufficient to provide such information.

Year: _____ From whom purchased: _____

How many units: _____ Acres planted with the seed: _____

Where planted: Field Name: _____ FSA Farm # _____ Tract # _____ Field # _____

If you allege damage to a cotton crop in this lawsuit, answer the following for your Xtend cotton:

Total Yield: _____ Per Acre Yield for Xtend Acres: _____

24. Has Plaintiff ever purchased a dicamba herbicide (ex. XtendiMax, FeXapan, Engenia, Banvel, Clarity) and either (1) sprayed that herbicide over the top of any crop, or (2) otherwise applied the dicamba herbicide in May, June or July?

Yes ☐ or No ☐

If yes, identify for each product:

For each product, and year such product was purchased, identify:

Field Name: _____ FSA Farm # _____ Tract # _____ Field # _____

Product: _____ Year Purchased: _____ # Units: _____

From whom purchased: _____ Application Dates: _____

Applied to how many acres: _____ Applied by: _____

How applied: _____

25. Identify any verbal or written communications Plaintiff has had with Defendants, or anyone known by Plaintiff to be a representative or employee of Defendants (including, but not limited to, crop consultants, investigators, salesmen, and distributors), relating to any issue in Plaintiff's Complaint. If the communications were solely written, you may produce those documents instead of filling in the information below.

Name of Defendant Contact	Date	Type of Communication (electronic, verbal in-person, verbal on the telephone, written)	Location of Communication (if verbal)	Subject of Communication and Information Relayed	Are There Any Written Records or Recordings of the Communication? (e.g., notes or summaries)

26. Identify all persons, other than your attorney, who Plaintiff believes possess information concerning Plaintiff's alleged damage.

Name	Street Address	City	State	Relationship	Description of Information

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DOCUMENTS REQUESTED: Produce the following documents that are in your possession, custody, or control.

1. Plaintiff's FSA Producer Farm Data Report from 2014 to the present.
2. Plaintiff's FSA 578 Producer Print Report of Acreage and FSA Farm and Tract Detail Maps from 2014 to the present plus those referenced in response to Questions 9, 10, 13 and 14 above.
3. An electronic download from any identified non-financial software used for the Plaintiff's farming operations for each of the Plaintiff's identified fields for the years 2014 to present.
4. Records sufficient to show lease arrangements for any fields with alleged damage.
5. Records sufficient to show ownership of the allegedly damaged fields since 2014.
6. Produce all records that document or support your alleged damages you claim in this action.
7. Produce all records that document or support Plaintiff's yields and any alleged yield losses for the years referenced in Questions 9, 13 and 14.
8. Records, if any, identifying the source of the dicamba product that allegedly damaged Plaintiff's crop.
9. If alleging that yield loss caused Plaintiff to be unable to fulfill a previously contracted amount, the contracts for sale of the commodity allegedly damaged and details of those contracts (date, bushels, how priced, price date, etc.).
10. Seed purchase receipts for allegedly damaged crop.
11. Seed purchase receipts for Xtend soybeans and/or Xtend cotton seed.
12. All herbicide purchase records for 2015 to present.
13. All herbicide applicator records (yours and custom) for 2015 to present.
14. Records sufficient to show treatment for each of the Plaintiff's allegedly damaged fields for 2014 to the present, for the commodity allegedly damaged, including records that identify the applicator for each treatment.
15. All harvest and sales records for each of the Plaintiff's fields for 2014 to the present plus harvest and sale records referenced in Response to Questions 13 and 14 above.
16. All evidence, whether originating with you or a third party, that relate to Plaintiff's alleged damage, including, but not limited to: photographs, videos, maps, diagrams, samples, sample testing results, notes, maps, diagrams, statements, communications, and reports.

17. All documents related to any complaint filed with Plaintiff's state Department of Agriculture, or any other state or federal entity, regarding Plaintiff's alleged damage, including but not limited to: complaint forms, communications, statements, notes, samples, sample testing results, photographs, videos, maps, diagrams, and inspection reports.
18. All policies in force and other records relating to any insurance claims made on Plaintiff's fields regardless of whether you allege that those fields were damaged by dicamba (including those identified in Questions 9 through 14 for the years 2014 through present).
19. All soil maps and soil tests for each of the Plaintiff's fields identified in Questions 9 through 14 for the years 2011 through present.
20. All aerial photos and maps for each of the Plaintiff's fields identified in Questions 9 through 14 for the years 2014 through present.
21. All Harvest Yield Trac records (or any other yield monitoring data) for each of the Plaintiff's fields identified in Questions 9 through 14 for the years 2014 through present.
22. Communications with third parties concerning alleged dicamba damage. This does not include discussions with your attorney.
23. Communications with Defendants, or any representative or employee of Defendants (including, but not limited to, crop consultants, investigators, salesmen, and distributors), relating to any issue in this lawsuit.
24. All documents concerning government disaster program payments for the Plaintiff's fields identified in Questions 9 through 14 for the years 2014 through present.

VERIFICATION OF PLAINTIFF'S FACT SHEET

I, _____, declare under penalty of perjury subject to all applicable laws, that I have carefully reviewed the final copy of this Confidential Plaintiff Fact Sheet dated _____ and verified that all of the information provided is true and correct to the best of my knowledge, information and belief.

Signature of Plaintiff